

REMARKS

Claims 1 and 3 - 21 are in this application and are presented for consideration. By this Amendment, Applicant has revised several of the original claims. Additionally, new claims 17 - 21 have been added. Original claim 2 has been canceled.

The disclosure has been objected to because the claims are referred to in the original specification.

Applicant notes that Applicant has submitted a substitute specification with the Preliminary Amendment dated March 26, 2002. In this substitute specification Applicant has canceled all references to the claims. Accordingly, it is Applicant's position that this issue has been resolved.

Claims 1 - 16 have been rejected as being obvious based on the teachings of Arnold et al. (EP 0 659 615) in view of Nakamura et al. (U.S. 4,896,990).

The Arnold reference discloses a pedal mechanism for a vehicle. The mechanism has a pedal strut 8 with two spaced apart strut arms 2 and 3 (see Figs. 1 and 2). Pedal 15 is pivotably mounted between the two strut arms 2 and 3. Pedal shaft 19 has both ends 7 and 10 inserted in the two journal bearings 22 and 23 connected to the strut arms 2 and 3. The journal bearings 22 and 23 become disengaged from the pedal shaft 19 on exceeding that the force applied on the pedal strut 8. The pedal shaft 19 is formed as a sleeve (see Figs. 4 and 5) fitted onto journal bearings 22 and 23. With this construction, the pedal 15 is connected non-rotatably on the pedal shaft 19 (it forms a unitary one piece construction). See the discussion at column 5 lines 13 - 19 of Arnold et al..

Accordingly, the Arnold et al. reference presents a significantly different concept as compared to the invention. With Arnold a bending or deformation is required to move the journal bearings 22 and 23 for disengaging the pedal and shaft unit. The pedal is formed as a unitary construction with the pedal shaft 19 thereby presenting particular direction for one of ordinary skill in the art to follow. The Arnold et al. reference clearly fails to suggest the use of a pedal which is a separate part from the shaft structure and also fails to teach or suggest the two part design of the bolt structure as according to the invention.

The Nakamura et al. reference (U.S. 4,896,990) discloses a support structure in combination with a rotatable lever 1 used in a door locking device for a vehicle. The lever 1 is pivotally positioned on a cylindrical shaft portion 21 of the support body 2 (see Fig. 4). An auxiliary shaft 3 comprises a shaft main body 31 and a projecting shaft 35 (see Fig. 6). The shaft main body 31 is fitted into the cylindrical shaft portion 21 and the projecting shaft 35 is fitted into a shaft hole 41 of the base plate 4. This construction is provided to form a rotatable lever for a door locking device of the vehicle while avoiding the generation of rattle noises. Rattle noises and the like are avoided by providing the support structure of the rotatable lever with a reliable bearing portion having a high mechanical strength. Based on these teachings, Nakamura et al. does not provide any suggestions with regard to changing the construction of Arnold.

The Nakamura et al. reference does not teach a bolt having at least a two part design wherein the bolt is a completely separate part and not made in one piece with the bearing block. According to Nakamura et al. the cylindrical shaft portion 21 is made in one piece with the body

2. As such this forms a portion of the body and does not provide a suggestion or teaching of the structure which allows disengagement of the pedal during an accident situation as discussed and explained in the present application. Without this teaching and suggestion, there is no motivation for one of ordinary skill in the art to depart from the clear direction and teachings presented by Arnold.

According to Nakamura et al. the cylindrical shaft portion 21 is made in one piecing with body 2 as discussed at column 2 lines 21 - 25. Specifically, these are integral pieces (see Figs. 4 and 8 of Nakamura et al.). Wherein body 2 and base plate 4 do form sections of the bearing block. The auxiliary shaft member 3 is the only separate part which is inserted into the bearing block to complete the bearing for the outside lever 1. As such Nakamura et al. does not present suggestions and teachings which would lead the person of ordinary skill in the art to depart from the teachings of Arnold. As such, the structure claimed in revised claims 1 and 3 - 8 patentably defines over the combination of teachings of the various references including Nakamura et al. and Arnold.

The Nakamura et al. reference also does not disclose an engaging contour of the second bolt. Specifically according to the invention the second bolt 11 has the engaging contour arranged on its inner surface. This combination of features is important for the invention as it provides a dependable connection while also allowing for a disengagement in the case of accident.

In addition the Arnold et al. reference relates to a pedal wherein Nakamura et al. relates to a door. The person of ordinary skill in the art in considering these teachings would not be

led or motivated to substitute a journal bearing arrangement of Arnold for a shaft portion 21 at body 2 (part of the bearing block) of Nakamura. The purpose of the two arrangements is different as well as the field of the two arrangements (this is non-analogous art). Further, there is a lack of suggestion in the references to provide the combination claimed.

Applicant's new claim 17 highlights the important combination of features as mentioned for example in original claim 16. A further aspect of the invention relates to the two part bolt structure in cooperation with the lever arm wherein the lever arm has a stop which engages a recess in the bolt. This structure is neither taught nor suggested by the prior art as a whole. Further, this feature works in combination with the other features claimed to provide a structure which attains results which are not suggested by the prior art and wherein the prior art clearly directs the person of ordinary skill in the art toward different constructions and different concepts.

Applicant respectfully requests that the Examiner reconsider the rejections in view of the revised claims and in view of the discussion above.

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Respectfully submitted
for Applicant,

OFFICIAL

By: 

John James McGlew
Registration No. 31,903
MCGLEW AND TUTTLE, P.C.

JJM:jj/tf
70477.8

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SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-0827
(914) 941-5600

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